

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE HERLEY INDUSTRIES, INC.  
SECURITIES LITIGATION

CIVIL ACTION  
NO. 06-2596 (JRS)

**DEFENDANTS' MOTION TO EXCLUDE THE OPINION OF  
PLAINTIFFS' EXPERT PATRICK A. MCGEEHIN**

Defendants Herley Industries, Inc., Lee Blatt, Myron Levy, Anello Garefino, Thomas Gilboy, and John Kelley, by and through their undersigned attorneys, hereby move to exclude the opinions contained in the expert report of Patrick A. McGeehin. Defendants are entitled to the exclusion of such opinions because they constitute improper legal opinions under Rule 702 and 704 of the Federal Rules of Evidence. In support of this motion, Defendants submit the attached memorandum of law and exhibits thereto.

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